

SENATE BILL No. 625

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Sunset of boards and commissions. Terminates most statutory boards and commissions, and numerous other governmental entities on July 1, 2006. Reestablishes the government efficiency study commission (which expired January 1, 2005) until December 31, 2006, and directs the commission to make recommendations to the governor and the general assembly concerning the advisability of continuing or modifying a board or commission that would otherwise expire. Permits the governor, by executive order, to extend the life of a board, commission, or other entity based on the recommendation of the government efficiency commission. Directs the legislative services agency, under the direction of the legislative council, to prepare legislation to bring affected statutes into compliance with this act.

Effective: Upon passage.

Clark

January 24, 2005, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 625

A BILL FOR AN ACT concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "sunseted entity" refers to an entity listed in subsection
3 (f) of this SECTION.

4 (b) Notwithstanding any law, each sunseted entity expires July
5 1, 2006, unless before June 30, 2006, the governor:

6 (1) has considered the recommendations of the government
7 efficiency commission under SECTION 2 of this act;

8 (2) determines that the sunseted entity should be continued
9 after June 30, 2006; and

10 (3) issues an executive order that the sunseted entity will be
11 continued after June 30, 2006.

12 (c) If a sunseted entity expires under this SECTION and is not
13 extended by the governor:

14 (1) all the powers, duties, legal obligations, employees,
15 property, and appropriations of the sunseted entity are
16 transferred to the governor;

17 (2) any rules of the sunseted entity become rules of the
18 governor; and

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1 **(3) except for expenses:**

2 **(A) necessary to discontinue operations of the sunseted**
 3 **entity; and**

4 **(B) approved by the governor;**

5 **no public funds may be used by or on behalf of the sunseted**
 6 **entity after June 30, 2006.**

7 **(d) The governor shall by July 15, 2006, submit to the general**
 8 **assembly a final report that details all the actions taken by the**
 9 **governor under this SECTION. The report shall be submitted in an**
 10 **electronic format under IC 5-14-6.**

11 **(e) The legislative services agency, under the direction of the**
 12 **legislative council, shall prepare legislation for introduction in the**
 13 **2006 and 2007 regular sessions of the general assembly to bring**
 14 **statutes affected by this act into compliance with:**

15 **(1) this act; and**

16 **(2) any actions reported to the general assembly by the**
 17 **governor under this act.**

18 **(f) The following are sunseted entities:**

19 **Adult advisory literacy coalition (IC 20-11-3-1)**

20 **Advisory committee for children with special health needs**
 21 **(IC 4-23-26-2)**

22 **Aeronautics commission of Indiana (Acts 1980, P.L.8)**

23 **Aging, Indiana state commission on (IC 12-10-2-1)**

24 **Agriculture and rural development, Indiana commission for**
 25 **(IC 4-4-22)**

26 **Air pollution compliance advisory panel (IC 13-28-3-6)**

27 **Alzheimer's disease and related senile dementia task force**
 28 **(IC 12-10-5-2)**

29 **Arts and humanities in education, Indiana commission for**
 30 **(IC 4-23-12-1)**

31 **Arts commission, Indiana (IC 4-23-2)**

32 **Arts commission trust fund board, Indiana (P.L.29-1997)**

33 **Autism, Indiana commission on (IC 12-11-7-2)**

34 **Black and minority health, interagency state council on**
 35 **(IC 16-46-6-3)**

36 **Boiler and pressure vessel rules board (IC 22-15-6)**

37 **Breed development advisory committee (IC 4-31-11-3)**

38 **Building and trades advisory committee (IC 20-1-18.6-1)**

39 **Business modernization and technology corporation, Indiana**
 40 **(IC 4-3-11-2)**

41 **Census data advisory committee (IC 2-5-19)**

42 **Center for agricultural science and heritage (IC 15-1.5-10.5-3)**

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1 Charter school review panel (IC 20-5.5-3-11)
 2 Child custody and support advisory committee
 3 (IC 33-24-11-1)
 4 Child fatality review committee, statewide (IC 12-13-15.1)
 5 Child protection team, community (IC 31-33-3)
 6 Civil war flags commission (P.L.291-2001)
 7 Clean manufacturing technology board (IC 13-27.5-1-1)
 8 Code revision commission (IC 2-5-1.1-10)
 9 Committee for the purchase of products and services of
 10 persons with severe disabilities (IC 16-32-2-2)
 11 Commodity futures trading commission (IC 23-2-6)
 12 Community residential facilities council (IC 12-28-5)
 13 Commuter transportation district (IC 8-5-15)
 14 Compliance advisory panel (IC 13-28-3-6)
 15 Controlled substances advisory committee (IC 35-48-2-1)
 16 Coordination of child care regulations, board for the
 17 (IC 12-17.2-3.1)
 18 Corn marketing council (IC 15-4-10-12)
 19 Corporate law survey commission, Indiana (IC 23-1-54-3)
 20 Corporation for educational technology, board of directors of
 21 the (IC 20-10.1-25.1-4)
 22 Correction, board of (IC 11-8-2-2)
 23 Correction ombudsman bureau, department of (IC 4-13-1.2-3)
 24 Courts, commission on (IC 33-23-10)
 25 Criminal justice advisory committee (IC 10-13-2-10)
 26 Data processing oversight commission (IC 4-23-16)
 27 Development commission, Indiana White River state park
 28 (IC 14-13-1-5)
 29 Development commission, Ohio River greenway
 30 (IC 14-13-5-3)
 31 Development finance authority, Indiana (IC 4-4-11-4)
 32 Division of state museums and historic sites (IC 14-20-1-2)
 33 Domestic violence prevention and treatment council
 34 (IC 12-18-3)
 35 Dr. Martin Luther King, Jr. holiday commission
 36 (IC 4-23-24.1-2)
 37 Drainage advisory committee, county (IC 36-9-27-13)
 38 Drug free Indiana, commission for a (IC 5-2-6-16)
 39 Economic development commission (IC 36-7-12)
 40 Economic development council, Indiana (IC 4-3-14)
 41 Economic development district (IC 6-1.1-39)
 42 Economic development for a growing economy board

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1 (IC 6-3.1-13-12)
 2 Educational attitudes, motivation, and parental involvement,
 3 committee on (IC 20-10.1-19-1)
 4 Education commission of the states (IC 20-11-1-5)
 5 Education, Indiana state board of (IC 20-1-1-1)
 6 Education roundtable (IC 20-1-20.5-4)
 7 Education savings authority (IC 21-9-3-1)
 8 Education technology council (IC 20-10.1-25.5-2)
 9 Efficiency and financing study commission, local government
 10 (P.L.64-2004)
 11 Egg board, Indiana (IC 16-42-11-4)
 12 Electronic benefits transfer commission (IC 12-13-14-3)
 13 Emergency management, et al., training foundation, Indiana
 14 (IC 10-15)
 15 Emergency planning committee, local (IC 6-6-10-4.2)
 16 Emergency response commission (IC 13-25-1)
 17 Enterprise zone board (IC 4-4-6.1-1)
 18 Environmental adjudication director selection panel
 19 (IC 4-21.5-7-4)
 20 Environmental quality service council (HEA 1277-2004)
 21 Ethics commission, state (IC 4-2-6-2)
 22 Excellence in health care, Indiana commission on
 23 (P.L.82-2003)
 24 Family and children advisory council, division of
 25 (IC 12-13-4-2)
 26 Family and social services committee (IC 12-8-3-2)
 27 Family support council, state (IC 12-8-14-6)
 28 Film commission, Indiana (IC 4-4-13)
 29 Financial institutions, department of (IC 28-11-1-1)
 30 Fire prevention and building safety commission (IC 22-12-2)
 31 Flood plain commission (IC 14-28-4)
 32 Forensic diversion advisory board (P.L.85-2004)
 33 Forensic sciences, commission on (IC 4-23-6-1)
 34 FSSA evaluation committee (IC 2-5-21)
 35 Governor's council for people with disabilities (IC 4-23-29-7)
 36 Great Lakes commission (IC 14-25-13-4)
 37 Health care account advisory board (IC 4-12-5-5)
 38 Health care interpreters and translators, commission on
 39 (IC 16-46-11.1-4)
 40 Health finance advisory committee (IC 2-5-23-6)
 41 Health finance commission (IC 2-5-23)
 42 Health policy advisory committee (IC 2-5-23-8, P.L.193-2003)

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1 Heritage corridor commission, Wabash River (IC 14-13-6-6)
 2 Heritage trust committee, Indiana (IC 14-12-2-8)
 3 High impact business commission (IC 6-1.1-10.1-6)
 4 Higher education commission, midwestern (IC 20-12-73-1)
 5 Hispanic/Latino affairs, commission on (IC 4-23-28-2)
 6 Historic hotel preservation commission (IC 36-7-11.5-3)
 7 Historic preservation commission (IC 36-7-11-4)
 8 Historic preservation review board (IC 14-21-1-10)
 9 Historical bureau, Indiana (IC 4-23-7-3)
 10 Housing, commission on (IC 12-14-12)
 11 Housing finance authority, Indiana (IC 5-20-1-3)
 12 Human resource investment council (IC 22-4-18.1-3)
 13 Incumbent workers training board (IC 22-4-18.3)
 14 Industry and farm product advisory council (IC 11-10-6-1)
 15 Information technology oversight commission, state
 16 (IC 4-23-16-1)
 17 Insurance agent education and continuing education advisory
 18 council (IC 27-1-15.7-6)
 19 Insurance mandated benefits task force (IC 27-1-3-30)
 20 Integrated public safety commission (IC 5-26-2-1)
 21 Intelenet commission (IC 5-21-2)
 22 Interagency coordinating council (IC 12-17-15-7)
 23 Interagency groundwater task force (IC 13-18-17-1)
 24 Interagency state council on black and minority health
 25 (IC 16-46-6)
 26 Intergovernmental relations, advisory commission on
 27 (IC 4-23-24.2-4)
 28 Interscholastic athletic association review panel
 29 (IC 20-5-63-7)
 30 ISTEP program citizens' review committee
 31 (IC 20-10.1-16-5.5)
 32 Joint district planning and zoning commission (IC 36-7-5.1-1)
 33 Juvenile detention center advisory board (IC 31-31-9)
 34 Kids first trust fund board, Indiana (IC 12-17-16-5)
 35 Lake Michigan marina development commission
 36 (IC 14-13-3-3)
 37 Land resources council, Indiana (IC 15-7-9-4)
 38 Land valuation committee, county (IC 6-1.1-4-13.8)
 39 Lands and cultural resources advisory council, bureau of
 40 (IC 14-9-6-1)
 41 Lewis and Clark bicentennial commission (P.L.54-2004)
 42 Lewis and Clark bicentennial commission citizens advisory

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1 board (P.L.54-2004)
 2 Library and historical board, Indiana (IC 4-23-7-1)
 3 Local government finance rules panel, department of
 4 (P.L.90-2002)
 5 Main street council, Indiana (IC 4-4-16-2)
 6 Mandated health benefit task force (IC 27-1-3-30)
 7 Medicaid advisory committee (IC 12-15-33-2)
 8 Medicaid oversight, select joint commission on (P.L.256-2001)
 9 Medicaid work incentives council (IC 12-15-42-1)
 10 Mental health, commission on (P.L.243-2003)
 11 Mental retardation and developmental disabilities,
 12 commission on (IC 2-5-27.2)
 13 Meridian Street preservation commission (IC 36-7-11.2-18)
 14 Methamphetamine abuse task force (IC 5-2-14)
 15 Military and veterans' affairs, commission on (IC 2-5-20)
 16 Mining board (IC 22-10-1.5-2)
 17 Minority and women's business enterprises (IC 4-13-16.5-2)
 18 Motor vehicles sales advisory board (IC 9-23-1-1)
 19 Native American Indian affairs commission (IC 4-4-31.4)
 20 Natural resources commission (IC 14-10-1-1)
 21 Natural resources study committee (IC 2-5-5-1)
 22 New Harmony commission (IC 14-20-4-2)
 23 Northwest Indiana advisory board (IC 13-13-6)
 24 Northwest Indiana transportation study commission
 25 (P.L.149-1999)
 26 Occupational information coordinating committee, Indiana
 27 (IC 4-23-20-2)
 28 Optometric legend drug prescription advisory committee,
 29 Indiana (IC 25-26-15-12)
 30 Organic peer review panel (IC 15-4-12-9)
 31 Oversight committee on public records (IC 5-15-5.1-18)
 32 Pension management oversight commission (IC 2-5-12-1)
 33 Personnel advisory board, Indiana (IC 4-15-1-1)
 34 Pesticides review board, Indiana (IC 15-3-3.5-12)
 35 Political subdivision risk management commission, Indiana
 36 (IC 27-1-29-5)
 37 Port commission, Indiana (IC 8-10-1)
 38 Postsecondary proprietary educational institute
 39 (IC 20-1-19-2)
 40 Prescription drug advisory committee (P.L.106-2002;
 41 P.L.107-2002)
 42 Principal leadership academy, advisory board on the

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1 (IC 20-1-1.6-1)
 2 Probate code study commission (IC 2-5-16-2)
 3 Property tax replacement fund board (IC 6-1.1-21-10)
 4 Proprietary education, Indiana commission on (IC 20-1-19-2)
 5 Prosecuting attorneys council of Indiana (IC 33-39-8-2)
 6 Protection and advocacy services commission, Indiana
 7 (IC 12-28-1-6)
 8 Public defender commission, Indiana (IC 33-40-5-2)
 9 Public highway private enterprise review board (IC 4-3-19-5)
 10 Public officers compensation advisory commission
 11 (P.L.95-2004)
 12 Public records, commission on (IC 5-15-5.1-3)
 13 Public safety committee, state agency (IC 5-26-6-1)
 14 Public works and safety, board of (IC 36-4-9-5)
 15 Radiation control advisory commission (IC 16-41-35-16)
 16 Rail corridor safety committee (P.L.28-2000)
 17 Recreational development commission (IC 14-14-1-7)
 18 Recycling and energy development board, Indiana
 19 (IC 4-23-5.5-2)
 20 Redevelopment commissions (IC 36-7-14-3)
 21 Regional planning commission (IC 36-7-7)
 22 Regional planning commission, northwestern Indiana
 23 (IC 36-7-7.6-3)
 24 Regional transportation authorities (IC 36-9-3-2)
 25 Regulatory flexibility committee (IC 8-1-2.6-4)
 26 Rehabilitation services, commission on (IC 12-12-2-2)
 27 River basin commission, Kankakee (IC 14-30-1-4)
 28 River basin commission, Maumee (IC 14-30-2-6)
 29 River basin commission, St. Joseph (IC 14-30-3-5)
 30 River basin commission, upper Wabash (IC 14-30-4-6)
 31 River basin development commission, Little Calumet
 32 (IC 14-13-2-5)
 33 Rural development administration advisory board
 34 (IC 4-4-9.3-3)
 35 Safety review, board of (IC 22-8-1.1-30.1)
 36 School air quality panel (IC 20-10.1-33-3)
 37 School for the Blind board, Indiana (IC 20-15-3-1)
 38 School for the Deaf board, Indiana (IC 20-16-3-1)
 39 School safety commissions, county (IC 5-2-10.1-10)
 40 Shoreline development commission (IC 36-7-13.5-2)
 41 Silvercrest Children's Development Center advisory
 42 committee (IC 16-19-6-9)

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1 Small business development corporation, Indiana
 2 (IC 4-3-12-1)
 3 Social status of black males, commission on the
 4 (IC 12-13-12-2)
 5 Soil conservation board (IC 14-32-2-1)
 6 Soldiers' and Sailors' Children's Home advisory committee,
 7 Indiana (IC 16-19-6-9)
 8 Standardbred advisory board, Indiana (IC 15-5-5.5-1)
 9 State building commissioner, office of the (IC 22-15-2-1)
 10 State capitol animal and wildlife council, Indiana
 11 (IC 14-13-1-25)
 12 State capitol athletic council, Indiana (IC 14-13-1-24)
 13 State capitol food and agriculture council, Indiana
 14 (IC 14-13-1-23)
 15 State capitol health council, Indiana (IC 14-13-1-22)
 16 State employees appeals commission (IC 4-15-1.5-1)
 17 State fair advisory committee (IC 15-1-1.5-4)
 18 State police board (IC 10-11-2-5)
 19 State tax and financing policy, commission on (IC 2-5-3-2)
 20 Steel industry advisory commission (IC 4-4-16.5-2)
 21 Step ahead statewide panel (IC 20-1-1.8-13)
 22 Stroke prevention task force (IC 16-41-41-2)
 23 Student assistance commission, state (IC 20-12-21-4)
 24 Surface coal mine reclamation bond pool committee
 25 (IC 14-34-8-11)
 26 Tax control board, local government (IC 6-1.1-18.5-11)
 27 Tax review, Indiana board of (IC 6-1.5-2-1)
 28 Technology preparation task force (IC 20-10.1-5.6-1)
 29 Therapeutics committee (IC 12-15-35-20.5)
 30 Tobacco farmers and rural community impact fund advisory
 31 board (IC 4-12-9-4)
 32 Tobacco use prevention and cessation advisory board,
 33 Indiana (IC 4-12-4-16)
 34 Tobacco use prevention and cessation executive board,
 35 Indiana (IC 4-12-4-4)
 36 Tourism council, Indiana (IC 4-4-29-3)
 37 Tourist information and grant fund review committee
 38 (IC 4-4-3.5-4.5)
 39 Transportation corridor planning board (IC 8-4.5-2-1)
 40 Transportation finance authority, Indiana (IC 8-9.5-8-2)
 41 Twenty-first century research and technology fund board,
 42 Indiana (IC 4-4-5.1-6)

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1 Underground storage tank financial assurance board
 2 (IC 13-23-11-1)
 3 Unemployment insurance board, Indiana (IC 22-4-18-2)
 4 Urban enterprise associations (IC 4-4-6.1-4-2)
 5 Utility consumer counselor advisory council (IC 8-1-1.1-7)
 6 Utility regulatory commission nominating committee
 7 (IC 8-1-1.5-3)
 8 Vehicle equipment safety commission (IC 9-28-6-1)
 9 Veterans' Home advisory committee, Indiana (IC 16-19-6-9)
 10 Vocational and technical education, Indiana commission on
 11 (IC 20-1-18.3-6)
 12 War memorials commission, Indiana (IC 10-18-1-2)
 13 Water and resource regulation, advisory council for the
 14 bureau of (IC 14-9-6-1)
 15 Water resources study committee (IC 2-5-25-1)
 16 Water sanitation commission, Ohio River valley
 17 (IC 13-29-2-1)
 18 Wireless enhanced 911 advisory board (IC 36-8-16.5-18)
 19 Women, Indiana commission for (IC 4-23-25-3)
 20 Worker's compensation board of Indiana (IC 22-3-1-1)
 21 Workforce literacy, office of (IC 20-11-6-6)
 22 Workforce proficiency panel (IC 20-1-20-2)
 23 Zoning appeals, board of (IC 36-7-4-901).

24 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
 25 act, "commission" refers to the government efficiency commission
 26 established by subsection (d).

27 (b) As used in this SECTION, "state educational institution" has
 28 the meaning set forth in IC 20-12-0.5-1.

29 (c) As used in this SECTION, "sunsetted entity" has the meaning
 30 set forth in SECTION 1 of this act.

31 (d) The government efficiency commission is established.

32 (e) The commission consists of the following members:

33 (1) One (1) cochairperson appointed not later than fifteen (15)
 34 days after the effective date of this SECTION by the president
 35 pro tempore of the senate.

36 (2) One (1) cochairperson appointed not later than fifteen (15)
 37 days after the effective date of this SECTION by the speaker
 38 of the house of representatives.

39 (3) Ten (10) members appointed not later than thirty (30)
 40 days after the appointment under subdivision (1) by the
 41 president pro tempore of the senate, five (5) of those members
 42 appointed with the advice and consent of the minority leader

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of the senate.

(4) Ten (10) members appointed not later than thirty (30) days after the appointment under subdivision (2) by the speaker of the house of representatives, five (5) of those members appointed with the advice and consent of the minority leader of the house of representatives.

(f) The following may not be members of the commission:

(1) An elected or appointed state or local official.

(2) A person who on the effective date of this SECTION was appointed to or was otherwise serving on the board or as a member of a sunsetted entity.

(3) A lobbyist (as defined by IC 2-7-1-10).

(g) A member of the commission is not entitled to a salary per diem.

(h) A member of the commission is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the legislative council's travel policies and procedures.

(i) The commission shall meet upon the call of the cochairpersons.

(j) The cochairpersons may advise the president pro tempore of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives concerning the appointment of other members of the commission.

(k) A quorum of the commission must be present to conduct business. A quorum consists of a majority of the voting members appointed to the commission.

(l) The commission may not take an official action unless the official action has been approved by at least a majority of the voting members appointed to serve on the commission.

(m) The cochairpersons may establish and appoint commission members to subcommittees as the cochairpersons consider appropriate to carry out the commission's duties under subsection

(n). The cochairpersons shall name the chairperson of each subcommittee.

(n) The commission shall do the following:

(1) Make recommendations to improve efficiency and reduce waste or other unnecessary costs associated with any state funded agency, department, or program.

(2) Review and make recommendations to the governor and the general assembly concerning the advisability of permitting

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1 a sunseted entity that would otherwise expire on July 1, 2006,
 2 to continue or to be reorganized or combined with another
 3 board, commission, or state agency.

4 (3) Make recommendations to the governor and general
 5 assembly concerning the repeal of IC 4-3-6 (the
 6 reorganization act of 1967).

7 (4) Make recommendations to clarify the governor's statutory
 8 power to appoint and remove members of boards and
 9 commissions that are established by law.

10 (o) The commission may accept donations to carry out the
 11 purposes of this act.

12 (p) The office of the governor shall provide staff support to the
 13 commission.

14 (q) The commission shall provide its final recommendations
 15 before November 1, 2006, to the following:

16 (1) The governor.

17 (2) The general assembly.

18 (r) The recommendations to the general assembly under
 19 subsections (n) and (q) shall be submitted electronically under
 20 IC 5-14-6.

21 (s) This SECTION expires January 1, 2007.

22 SECTION 3. An emergency is declared for this act.

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